

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ALEXANDER R. GLASGOW,

CASE NO. 3:23 CV 1702

Plaintiff,

v.

JUDGE JAMES R. KNEPP II

**GENERAL ELECTRIC COMPANY /
GE RENEWABLE ENERGY,**

Defendant.

ORDER

This matter is before the Court on Magistrate Judge Darrell A. Clay's Report and Recommendation ("R&R") to dismiss Plaintiff Alexander R. Glasgow's Complaint without prejudice for failure to prosecute. (Doc. 16).

Under the relevant statute:

Within fourteen days of being served with a copy [of a Magistrate Judge's R&R], any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1); *see also* FED. R. CIV. P. 72(b)(2).¹ The failure to file timely written objections to a Magistrate Judge's R&R constitutes a waiver of *de novo* review by the district court of any issues covered in the R&R. *Thomas v. Arn*, 728 F.2d 813, 814-15 (6th Cir. 1984); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

1. The Court has taken into account Federal Civil Rule 6(d), given that service on Plaintiff occurred by mail in the instant matter. *See* Fed. Civ. R. 6(d) ("[w]hen a party may or must act within a specified time after being served and service is made [by, *inter alia*, mail], 3 days are added after the period would otherwise expire under Rule 6(a).").

In this case, the R&R was issued on May 20, 2024, and it is now June 10, 2024. Neither party has filed objections nor requested an extension of time to file them. Therefore, the Court ADOPTS Magistrate Judge Clay's R&R (Doc. 16) as the Order of this Court. Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED.

s/ James R. Knepp II
UNITED STATES DISTRICT JUDGE

Dated: June 10, 2024